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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,024

02/10/2004

Andrea Pagni

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10/19/2006

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EXAMINER

COLEMAN, ERIC

ART UNIT

PAPER NUMBER

2183

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/776,024	Applicant(s) PAGNI ET AL.	
	Examiner Eric Coleman	Art Unit 2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19, 24-31 is/are allowed.
- 6) ☒ Claim(s) 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 22 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim 20 is rejected under 35 U.S.C. 102(a) as being anticipated by Yoshida (patent publication No. 2002/0138712 A1).
3. Yoshida taught the invention as claimed including a data processing ("DP") system comprising:
4. A translator device (as per claim 20) (e.g., see figs. 1,2,3) for translating instructions belonging to a first instruction set that are pipelined scalar processor instructions into instructions belonging to a second instruction set (e.g., see page 4, paragraphs 0050-0051) that are VLIW processor instructions for execution on a VLIW processor (e.g., see pages 2-3, paragraphs 0035-000036) that includes a core (e.g. see page 5, paragraphs 0054 and 0057), the translation subsystem device comprising a translation subsystem designed to receive at input instruction of the first instruction set and supply at output a translation including one or more instructions of the second instruction set(e.g., see page 4, paragraphs 0051-0052); and a translation memory(553) coupled to the translation subsystem and structured to store the translation(e.g., see page 4, paragraph 0051); and a control device (532)for taking the translation from the translation memory and supplying it to the core of the VLIW processor (e.g., see figs. 6

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and 7)[the output on lines 546 and 545 of the control portion is transmitted to output buffer in figure 7 to control output of the buffer].

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (patent publication No. 2002/0138712 A1).

Yoshida taught the invention substantially as claimed including a data processing ("DP") system comprising:

7. A translator device(as per claim 20) (e.g., see figs. 1,2,3) for translating instructions belonging to a first instruction set that are pipelined scalar processor instructions into instructions belonging to a second instruction set (e.g., see page 4, paragraphs 0050-0051) that are VLIW processor instructions for execution on a VLIW processor (e.g., see pages 2-3, paragraphs 0035-000036) that includes a core (e.g. see page 5, paragraphs 0054 and 0057), the translation subsystem device comprising a translation subsystem designed to receive at input instruction of the first instruction set and supply at output a translation including one or more instructions of the second instruction set(e.g., see page 4, paragraphs 0051-0052); and a translation memory(553) coupled to the translation subsystem and structured to store the translation(e.g., see page 4, paragraph 0051); and a control device (532)for taking the

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translation from the translation memory and supplying it to the core of the VLIW processor (e.g, see figs. 6 and 7)[the output on lines 546 and 545 of the control portion is transmitted to output buffer in figure 7 to control output of the buffer].

8. As per claim 21, Yoshida did not expressly detail a code table. Yoshida taught the translation subsystem with a translation memory that was used in the translation and operates based on a manner that would have clearly been facilitated by conventional table access of data for determine a output for corresponding input and which would have been within the level of skill of one of ordinary skill in the art. (e.g., see fig. 15 and page 7, paragraphs 0073-0076). Yoshida however did not expressly detail that the memory that stored the output translation stored a code table. However one of ordinary skill would have been motivated to use the same memory to buffer the output and store the code memory at least to reduce the size of the circuit by reducing the number of memories.

***Allowable Subject Matter***

9. Claims 22-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 1-19 and 24-31 are allowed.

***Response to Arguments***


Applicant's arguments with respect to claims 20-21 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Coleman whose telephone number is (571) 272-4163. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EC



**ERIC COLEMAN**  
**PRIMARY EXAMINER**